

PATENT

#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ranjit C. Desai, et al.

Serial No. : 10/522,646

Case 21173

Filed : January 24, 2005

Art Unit:  
unassigned  
Examiner:  
unassigned

For : PPAR ALPHA SELECTIVE COMPOUNDS FOR THE  
TREATMENT OF DYSLIPIDEMIA AND OTHER  
LIPID DISORDERS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

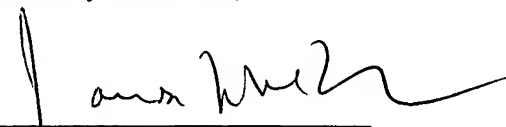
Sir:

RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NON-PROVISIONAL APPLICATION

Enclosed is the Declaration for a PCT National Phase application filed under 35 U.S.C. 371, which is submitted in response to the Notice to File Missing Parts mailed August 19, 2005. A copy of the Notice is also enclosed. A request and authorization to charge the fee due under 37 C.F.R. 1.16(e) accompanies this communication.

Respectfully submitted,

By

  
James L. McGinnis  
Reg. No. 34,387  
Attorney for Applicants

MERCK & CO., INC.  
P.O. Box 2000  
Rahway, New Jersey 07065-0907  
(732) 594-0641

Date: September 23, 2005

**MISC. FEE TRANSMITTAL***Patent fees are subject to annual revision.***Complete if Known**

Application Number	10/522,646
Filing Date	January 24, 2005
First Named Inventor	Ranjit C. Desai, et al
Examiner Name	
Group Art Unit	
Attorney Docket Number	21173

**TOTAL AMOUNT OF PAYMENT**

\$130

**METHOD OF PAYMENT**☒ Deposit Account

Deposit Account Number 13-2755

Deposit Account Name Merck &amp; Co., Inc.

**The Director is authorized to:**☒ Charge fee(s) indicated below☒ Credit any overpayments☒ Charge any additional fee(s) or underpayments of fee(s)  
under 37 CFR 1.16 and 1.17**FEE CALCULATION****FEES****Large Entity**

Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	Surcharge - late filing fee or oath	130
1051	130	Non-English Specification	
1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1402	500	Filing a brief in support of an appeal	
1452	500	Petition to revive - unavoidable	
1453	1,500	Petition to revive - unintentional	
1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	Submission of Information Disclosure Statement	
1809	790	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	For each additional invention to be examined (37 CFR 1.129(b))	
		Other fee (specify) _____	
		Other fee (specify) _____	

**TOTAL** \$130**SUBMITTED BY****Complete (if applicable)**

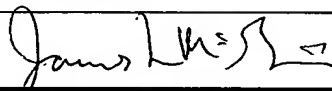
Typed or Printed Name

James L. McGinnis

Reg. Number

34,387

Signature



Date

09/23/2005

Deposit Account User ID

10/03/2005 GFREY1 00000040 132755 10522646

51 FC:1617 130.00 DA

JLM

21173P



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/522,646	Ranjit C Desai	21173P

INTERNATIONAL APPLICATION NO.
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PCT/US03/23499

I.A. FILING DATE	PRIORITY DATE
07/25/2003	07/30/2002

000210  
MERCK AND CO., INC  
P O BOX 2000  
RAHWAY, NJ 07065-0907

DOCKETED

AUG 24 2005

CHRISTINE A. CUFFE

CONFIRMATION NO. 8757  
371 FORMALITIES LETTER  
\*OC000000016803094\*  
\*OC000000016803094\*

*Oath or Declaration  
Fees Due  
10-H-C*

Date Mailed: 08/19/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/24/2005
- Copy of the International Search Report filed on 01/24/2005
- Copy of IPE Report filed on 01/24/2005
- Preliminary Amendments filed on 01/24/2005
- Information Disclosure Statements filed on 01/24/2005
- U.S. Basic National Fees filed on 01/24/2005
- Priority Documents filed on 01/24/2005
- Specification filed on 01/24/2005
- Claims filed on 01/24/2005
- Abstracts filed on 01/24/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

*Filed*  
8/25/05

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/522,646	PCT/US03/23499	21173P

FORM PCT/DO/EO/905 (371 Formalities Notice)